

**United States Bankruptcy Court
Central District of California
Los Angeles
Judge Julia Brand, Presiding
Courtroom 1375 Calendar**

Wednesday, November 3, 2021

Hearing Room 1375

10:00 AM
2:07-00000

Chapter 0

#0.00 PLEASE BE ADVISED THAT THE CHAPTER 13 CONFIRMATION CALENDAR CAN BE VIEWED ON THE COURT'S WEBSITE UNDER: **JUDGES> BRAND, J> CHAPTER 13>CONFIRMATION HEARING CALENDAR**

Effective Wednesday, July 28, 2021, Judge Julia W. Brand will be suspending in person hearings until further notice due to the recent surge in coronavirus cases. Please check back for any additional updates to the PROCEEDINGS BEFORE JUDGE JULIA W. BRAND DURING COVID-19 PANDEMIC Updated July 27, 2021.

All hearings on this calendar will be conducted remotely, using ZoomGov video and audio, which permits remote participation by video or by telephone. Hearing participants and members of the public may view and listen to hearings before Judge Brand using ZoomGov free of charge. Video and audio connection information for each hearing will be provided on Judge Brand's publicly posted hearing calendar, which can be viewed online at: <http://ecf-ciao.cacb.uscourts.gov/CiaoPosted> and going to "Select Judge" Julia W. Brand to see the Court's Tentative Rulings Viewing Calendar.

Individuals may appear by ZoomGov **video and audio using a personal computer** (equipped with camera, microphone and speaker), **or a handheld mobile device** (such as an iPhone). Individuals may participate by ZoomGov **audio only using a telephone** (standard telephone charges may apply). Neither a Zoom nor a ZoomGov account are necessary to participate and no pre-registration is required.

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CONT...

Chapter 0

to allow for check-in.

Join By Computer

Meeting URL: <https://cacb.zoomgov.com/j/1611458418>

Meeting ID: 161 145 8418

Password: 617067

Join By Telephone

Dial: +1 669 254 5252 or +1 669 216 1590 or +1 551 285 1373 or
+1 646 828 7666 or 833 568 8864 (Toll Free)

Meeting ID: 161 145 8418

Password: 617067

Docket 0

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
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Chapter 0

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- NONE LISTED -

**United States Bankruptcy Court
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Hearing Room 1375

1:30 PM

2:17-24474 Louie Diaz, Jr.

Chapter 13

#1.00 Trustee's Motion to Dismiss Case Due to a
Material Default of a Plan Provision/Delinquent
Plan Payments

fr 9-29-21

Docket 44

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Louie Diaz Jr.

Represented By
R Grace Rodriguez

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
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Wednesday, November 3, 2021

Hearing Room 1375

1:30 PM

2:16-12023 Bridget Louise Cook

Chapter 13

#2.00 Trustee's Motion to Dismiss Case Due to
a Material Default of a Plan Provision

Docket 94

***** VACATED *** REASON: VOLUNTARY DISMISSAL OF MOTION
FILED 10/19/21**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Bridget Louise Cook

Represented By
Kevin T Simon

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 1375

1:30 PM

2:19-15629 Vernitta Jones

Chapter 13

#3.00 Trustee's Motion to Dismiss Case Because
of Delinquent Plan Payments

Docket 55

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Vernitta Jones

Represented By
Thomas B Ure

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 1375

1:30 PM

2:17-16235 Wanda Denise Clayton

Chapter 13

#3.10 Trustee's Motion to Dismiss Case Because
of Delinquent Plan Payments

Docket 50

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Wanda Denise Clayton

Represented By
Gregory M Shanfeld

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
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Wednesday, November 3, 2021

Hearing Room 1375

1:30 PM

2:19-21995 David Diego-Juan

Chapter 13

#4.00 Motion to modify plan or suspend plan payments
fr 9-29-21

Docket 60

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

David Diego-Juan

Represented By
Onyinye N Anyama

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
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Wednesday, November 3, 2021

Hearing Room 1375

1:30 PM

2:20-15772 Carmen Elvira Healey

Chapter 13

#5.00 Motion to modify plan or suspend plan payments

Docket 25

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Carmen Elvira Healey

Represented By
Devin Sawdayi

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 1375

1:30 PM

2:17-21003 Saul Alvarado and Alicia Alvarado

Chapter 13

**#6.00 Order to Show Cause re Closing of Case
Without Entry of Discharge**

Docket 53

Tentative Ruling:

The Order to Show Cause is discharged. Debtors have filed the necessary documents. This matter is now OFF CALENDAR. **Appearances waived.**

Party Information

Debtor(s):

Saul Alvarado

Represented By
Rene Lopez De Arenosa Jr

Joint Debtor(s):

Alicia Alvarado

Represented By
Rene Lopez De Arenosa Jr

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
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Wednesday, November 3, 2021

Hearing Room 1375

1:30 PM

2:16-10002 Juan Jose Diaz

Chapter 13

#7.00 Motion to avoid junior lien on principal residence
with US Bank National Association
2nd Trust Deed

Docket 80

Tentative Ruling:

No opposition was filed.

Debtor seeks to value debtor's real property at a fair market value of \$140,000.00 as of September 19, 2012. The subject property is encumbered by a first deed of trust lien held by US Bank National Association, securing a loan with a balance as of the petition date of approximately \$142,504.09, a second deed of trust held by US Bank National Association, securing a loan with a balance as of the petition date of approximately \$97,221.40. The valuation motion is supported by evidence as to the value of the subject property. The content of the notice meets the due process requirement that it be "reasonably calculated, under all of the circumstances, to apprise interested parties of the pendency of the action and to afford them the opportunity to present their objections." Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306, 314 (1950). No opposition was filed. Therefore, US Bank National Association's claim secured by a junior deed of trust lien is completely under-collateralized.

The debtor's motion is GRANTED. The claim of the junior lienholder, US Bank National Association, is to be treated as an unsecured claim and to be paid through the plan pro rata with all other unsecured claims. The beneficiary of the trust deed encumbered by the junior lien will retain its lien against the subject property to the extent recognized by applicable nonbankruptcy law unless and until the debtor fully performs under the chapter 13 plan and the debtor receives a discharge pursuant to 11 U.S.C. § 1328. Upon the completion of all payments under the chapter 13 plan and upon entry of a discharge pursuant to 11 U.S.C. § 1328 in this case, the junior lien arising from the deed of trust against the subject property will be void and will not constitute an encumbrance on the subject property.

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CONT...

Juan Jose Diaz

Chapter 13

Pursuant to LBR 9021-1(b)(1)(B), debtor must lodge a proposed order via LOU within 7 days of the hearing. **Appearances waived.**

Party Information

Debtor(s):

Juan Jose Diaz

Represented By
David Samuel Shevitz

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 1375

1:30 PM

2:16-10002 Juan Jose Diaz

Chapter 13

#8.00 Motion to avoid junior lien on principal residence
with Wescom Central Credit Union
2nd Trust Deed

Docket 79

Tentative Ruling:

No opposition was filed.

Debtor seeks to value debtor's residence at a fair market value of \$260,000.00 as of September 19, 2012. The subject property is encumbered by a first deed of trust lien held by Wescom Central Credit Union, securing a loan with a balance as of the petition date of approximately \$315,057.24, a second deed of trust held by Wescom Central Credit Union, securing a loan with a balance as of the petition date of approximately \$43,822.11. The valuation motion is supported by evidence as to the value of the subject property. The content of the notice meets the due process requirement that it be "reasonably calculated, under all of the circumstances, to apprise interested parties of the pendency of the action and to afford them the opportunity to present their objections." Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306, 314 (1950). No opposition was filed. Therefore, Wescom Central Credit Union's claim secured by a junior deed of trust lien is completely under-collateralized.

The debtor's motion is GRANTED. The claim of the junior lienholder, Wescom Central Credit Union, is to be treated as an unsecured claim and to be paid through the plan pro rata with all other unsecured claims. The beneficiary of the trust deed encumbered by the junior lien will retain its lien against the subject property to the extent recognized by applicable nonbankruptcy law unless and until the debtor fully performs under the chapter 13 plan and the debtor receives a discharge pursuant to 11 U.S.C. § 1328. Upon the completion of all payments under the chapter 13 plan and upon entry of a discharge pursuant to 11 U.S.C. § 1328 in this case, the junior lien arising from the deed of trust against the subject property will be void and will not constitute an encumbrance on the subject property.

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CONT... Juan Jose Diaz

Chapter 13

Pursuant to LBR 9021-1(b)(1)(B), debtor must lodge a proposed order via LOU within 7 days of the hearing. **Appearances waived.**

Party Information

Debtor(s):

Juan Jose Diaz

Represented By
David Samuel Shevitz

Movant(s):

Juan Jose Diaz

Represented By
David Samuel Shevitz

Trustee(s):

Nancy K Curry (TR)

Pro Se

**United States Bankruptcy Court
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1:30 PM

2:21-18012 McClay Design And Development LLC

Chapter 7

#9.00 HearingRE: [9] Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 32091 Point Place, Laguna Beach, CA 92651 .

Docket 9

Tentative Ruling:

Movant has failed to establish that Debtor, McClay Design and Development LLC, has an interest in the property. The exhibits all reference debtors other than McClay Design and Development LLC. Movant is to explain why relief from stay should be granted.

Party Information

Debtor(s):

McClay Design And Development	Pro Se
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